

## No 3847 Equity

To the Honorable the Judges of the Circuit Court for Frederick County, sitting in Equity - The petition of Charles W Ross, of Frederick County, State of Maryland, respectfully shows to your Honors, that a certain George Murdock late of Frederick County, State of Maryland, was in his life time seized and possessed of large and valuable real estate situate in the County and State aforesaid, and being composed of a tract of land called the "Retreat," containing Two hundred and twenty-two acres of land more or less, conveyed to said George Murdock by Richard Potts by deed a copy of which is herewith exhibited marked Exhibit No 1, which your petitioner prays together with all other Exhibits hereinafter produced may be taken and considered as part of this his Petition. Your petitioner further states that the said George Murdock was also seized and possessed of a tract of land called the "Island," being an island in the Monocacy River adjoins said tract of land called "Retreat," containing \_\_\_\_\_ acres of land more or less, conveyed by Sereniah Kramer & wife & others, by deed a certified copy of which is herewith Exhibited as Exhibit No 2. Also a tract of land called part of Discovery Re surveyed, containing Thirteen acres of land more or less conveyed by Isaac Walker and Jacob Walker Executors of John Walker to said George Murdock by deed a certified copy of which is herewith exhibited marked Exhibit No 3. Also, all those parts of tracts of land situate and lying in Frederick County, State of Maryland being part of a tract of land called "Bell view," and part of a tract of land called "The Recovery on Locust Level," containing 210<sup>1</sup>/<sub>2</sub> acres & 11 qrs of land. Also all that piece or parcel of land, situate in the County and State aforesaid being part of a tract of land called "Maddie Plantation," containing Thirty one acres, Two roods and twenty five perches of land, subject to the dower right of the widow Lydia Correll, in and to ten acres, one rood & twenty three perches of land, and being the same land conveyed to the said George Murdock by George M. Potts and Cornelia Potts his wife by deed of Partition, a certified copy of part thereof being herewith exhibited marked Exhibit No 4. Your petitioner further states that the said George Murdock by his last will and testament dated the seventh day of February, in the year Eighteen hundred and Seventy, and duly executed according to law to pass real estate did authorize and empower his executor hereinafter named to sell at Public or Private Sale as he may deem best and upon such terms and notice as he may deem expedient without the previous order of the Orphan's Court first had and obtained, all his real and personal estate, the proceeds of which sales I charge with the payment of my debts and legacies. And your petitioner further states that said testator after a few legacies therein named, devised to your petitioner the entire residue of said testator's estate in trust for the purposes set forth and stated in said will - all of which will more fully and at large appear by reference to a certified copy of said last will and testament herewith exhibited marked Exhibit No 5. Your petitioner further states that though said testator by said will authorized his Executor to be named in said will to sell his said real and personal estate. Yet said testator wholly failed and neglected to name an Executor to carry out said trust which will fully appear by reference to said last will. Your petitioner further states that the said George Murdock died on the twenty fifth day of December, in the year Eighteen hundred and Seventy-two, without naming any Executor to carry out the trust named in said will, and that the sale of the real estate of the said George Murdock is necessary for the payment of his debts and of the legacies devised and bequeathed by said last will and testament. Your Petitioner therefore prays your Honors